

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#11

In re Application of:) Atty. Docket: SOLOMON=1R
Beka SOLOMON)
U.S. Patent No.: 5,688,651) Washington, D.C.
Patented: November 18, 1997)
(U.S. Appln. No. 08/358,786)
filed December 16, 1994) August 1, 2001
For: PREVENTION OF PROTEIN)
AGGREGATION)
)

SUBSTITUTE REISSUE DECLARATION UNDER 37 C.F.R. §1.175 AND
POWER OF ATTORNEY FOR REISSUE OF LETTERS PATENT 5,688,651

Honorable Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Beka Solomon, hereby solemnly declare that:

I am a citizen of Israel and my residence and post
office address are as stated below next to my name.

I verily believe myself to be the original, first
and sole inventor of the subject matter which is described and
claimed in United States Letters patent 5,688,651, granted on
November 18, 1997, and for which a reissue patent is sought on
the invention entitled PREVENTION OF PROTEIN AGGREGATION, the
specification of which was filed on November 16, 1999, as
reissue application no. 09/441,140 and was amended on November
16, 1999, and on January 8, 2001.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the amendments referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I verily believe the original Letters Patent 5,688,651, to be wholly or partly inoperative or invalid by reason of the patentee claiming more or less than it had the right to claim in the patent.

At least one error upon which reissue is based is the following:

At the time the patent was in prosecution, all parties involved, i.e., Applicant, Assignee and the attorney involved in the prosecution of the patent application, were concentrating their efforts on the patenting of the presently claimed method of selecting an anti-aggregation molecule having the chaperone-like activity of anti-aggregation that issued in the 5,688,651 patent as claims 1-4, the only claims in the patent.

It was only recently that the Applicant/Patentee and the Assignee realized that the concepts fully disclosed in the specification directed to pharmaceutical compositions for preventing or reducing aggregation of an aggregating protein or for disaggregating preaggregated aggregates of the

aggregating protein and methods of disaggregating an aggregate of or preventing the aggregation of an aggregating protein by causing an anti-aggregation molecule to come into contact with the aggregate or with the soluble aggregating protein were not claimed *per se*, and further they could be and should be now so claimed.

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

As the named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

All of the practitioners associated with Customer Number 001444.

Direct all correspondence to the address associated with Customer Number 001444, which is presently:

BROWDY AND NEIMARK, P.L.L.C.
624 Ninth Street, N.W.
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(202) 628-5197.

The undersigned hereby authorizes the U.S. attorneys or agents appointed herein to accept and follow instructions from RAMOT UNIVERSITY AUTHORITY FOR APPLIED RESEARCH AND INDUSTRIAL DEVELOPMENT LTD. as to any action to be taken in the U.S. Patent and Trademark Office regarding this

application without direct communication between the U.S. Attorneys or Agents and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents appointed herein will be so notified by the undersigned.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

21/8/2001

By:

Beka SOLOMON

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